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FM AMEMBASSY MANAGUA
TO RUEHC/SECSTATE WASHDC 1642
INFO RUEATRS/DEPT OF TREASURY WASHINGTON DC
RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE

UNCLAS MANAGUA 002442

SIPDIS

STATE FOR WHA/CEN, EB/IFD/OIA AND L/CID
STATE FOR WHA/EPSC
STATE PLEASE PASS TO USTR
TREASURY FOR INL AND OWH

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: EINV ECON USTR KIDE NU
SUBJECT: NICARAGUA: PROPERTY SUPERINTENDENT UNPREPARED TO DISCUSS
PROPERTY CLAIMS

REF: A) MANAGUA 2324 B) MANAGUA 2006

SUMMARY

¶11. (SBU) Property Superintendent Yara Perez and other Government of Nicaragua (GON) officials were unprepared to discuss U.S. citizen claims during the October 25 monthly Working Group meeting on property issues. GON officials insist that they will prioritize cases of natural-born U.S. citizens over those of naturalized U.S. citizens. They failed again to produce a list of 55 cases that they have claimed were close to resolution. GON officials also signaled that they are reviewing claims accepted by previous administrations and may dismiss many for lack of evidence of ownership and/or expropriation. The executive branch of the GON has not resolved any U.S. citizen claims since July and is reluctant to actively engage and cooperate with the Embassy on these cases. We are concerned by the GON's lack of commitment to deal with these issues in a serious, consistent, and transparent manner. End Summary.

GON UNPREPARED TO RESOLVE PROPERTY CLAIMS

¶12. (U) During the October 25 monthly Working Group meeting on property claims with Econoffs, Property Superintendent Yara Perez Calero and three officials from the National Confiscation Review Commission (CNRC) told us that the GON is unprepared to discuss specific cases. She then explained that her staff is unavailable to work on these cases because the unit is moving across town to occupy offices located within the Attorney General's premises. She also reported that her staff is busy completing a review of property cases that the Chamorro, Aleman and Bolanos administrations had already resolved.

DELAYS FOR NATURALIZED U.S. CITIZEN CLAIMS

¶13. (SBU) Perez stressed that the GON would prioritize the resolution of U.S.-born citizen claims (Ref A) over naturalized U.S. citizen claims, without regard to citizenship at the time of expropriation. She estimated that the prioritized cases represent eight percent of all U.S. citizen claims. She added that her office would no longer actively process the claims of naturalized U.S. citizen. Econoff reiterated that the U.S. Government does not differentiate between those who were born citizens and those who were naturalized, and we will continue to press for resolution of all Embassy registered claims.

NO INFORMATION ON 55 ALLEGED SETTLEMENTS

¶4. (U) Econoffs told Perez that we were ready to work with the GON to resolve all cases and inquired about the 55 cases that were allegedly close to resolution but for which the finiquitos have not been prepared (Ref A). Perez was unable to provide the list yet again, and her staff appeared completely unaware that a list exists.

GON PLANNING TO REJECT CLAIMS FOR LACK OF EVIDENCE

¶5. (SBU) GON officials alleged that many claimants have not provided evidence that they either owned the property in question or that the GON had expropriated it. [Note: The CNRC, under previous administrations, had accepted these cases, indicating that claimants have already established ownership and that the government expropriated their property. End Note.] Perez and the CNRC officials noted that they plan to dismiss these cases soon. Econoffs replied that the Embassy would not remove a case from its registry unless the GON demonstrates it has followed due process in dismissing the case.

COMMENT

¶6. (SBU) The October Working Group meeting was the most unproductive session we have had with the GON in the last two years. It stands in sharp contrast to last month's Property working group meeting, when Property Superintendent Perez said that she and her staff would pay more attention to U.S. citizen claims. Since July the executive branch of the GON has not resolved any U.S. citizen claims since July and the Property Superintendent remains reluctant to actively engage the Embassy on these cases. The Ortega administration has shown a lack of commitment to deal with these issues in a serious, consistent, and transparent manner. We will continue to redouble our efforts to establish a bona fide working relationship with the Property Superintendent and the Attorney General to resolve outstanding U.S. citizen claims. End Comment.

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